

RECEIVED
CENTRAL FAX CENTER

OCT 10 2006

REMARKS

Claims 1-3, 7-10, 66-68 and 72-75 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the pending claims are allowable.

Claims 1-3, 8-10, 66-68 and 73-75 stand rejected under 35 U.S.C. § 102(b) as anticipated by WO 93/04724 to Brennan et al. ("Brennan").

Claim 1 recites a catheter comprising "a tubular body having a distal region" in combination with "a ring member encircling at least a portion of the circumference of the tubular body, the ring member being slidable along the tubular body" and "at least one elongate member having a proximal end and a distal end, the distal end of the elongate member being coupled to the distal region of the tubular body and *the proximal end being attached to the ring member.*"

In contrast, Brennan describes a steerable stylet assembly consisting of a pull wire 12 extending through a lumen 13 of a tubular member 10 and attached to a distal tip 22 of the tubular member 10 at its distal end and to a lever 34 at its proximal end. Brennan clearly states that "[t]he pull wire extends within the housing 30 to be coupled mechanically to the lever 34 as illustrated more completely in Figures 2 and 3." Brennan, p. 11, ll. 28-30. Thus, the pull wire 12 does not include a "proximal end being attached to the ring member," as recited in claim 1.

The Examiner states that a proximal end of the pull wire 12 is attached to a slide element 32 "via its interconnection with lever 34 and clip 36" and that the lever 34 has "a free end attached to slidable member 32." 7/13/06 Office Action, p. 3, ll. 9-10. Thus, it is respectfully submitted that the Examiner recognizes that the pull wire 12 is never attached to the slide element 32 but is attached to the lever 34. The lever 34 is not part of the slide element 32 nor would one of skill in the art consider the lever 34 "a ring member encircling at least a portion of the circumference of the tubular body," as recited in claim 1.

Therefore, it is respectfully submitted that Brennan neither discloses nor suggests "at least one elongate member having a proximal end and a distal end, the distal end of the elongate member being coupled to the distal region of the tubular body and the proximal end being attached to the ring member," as recited in claim 1. Because claims 2-3 and 8-10 depend from, and, therefore include all of the limitations of claim 1, it is respectfully submitted that these

claims are also allowable.

Claim 66 recites a catheter comprising "a first elongate member having a distal region" in combination with "a protruding member slidably coupled to the first elongate member and extending outward from an outer surface of the first elongate member" and "a second elongate member having a proximal end and a distal end, the distal end of the second elongate member being coupled to the distal region of the first elongate member and *the proximal end of the second elongate member being attached to the protruding member.*"

Claim 66 recites limitations substantially similar to claim 1 including "the proximal end of the second elongate member being attached to the protruding member." Brennan, in contrast, clearly states that the pull wire 12 is attached to the lever 34 and not the slide element 32. Thus, it is respectfully submitted that claim 66 is allowable for the same reasons stated above with regard to claim 1. Because claims 67-68 and 73-75 depend from, and, therefore include all of the limitations of claim 66, it is respectfully submitted that these claims are also allowable.

Claims 7 and 72 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Brennan in view of U.S. Patent No. 4,906,230 to Maloney et al. ("Maloney").

It is respectfully submitted that Maloney does not cure the above-described deficiencies of Brennan. Maloney discloses a catheter 110 which uses a string 138 to deflect a distal end of the catheter 110. However, Maloney never describes any structure which is coupled to a proximal end of the string 138. Thus, it is respectfully submitted that Maloney neither discloses nor suggests the "proximal end [of the at least one elongate member] being attached to the ring member," as recited in claim 1 or the "the proximal end of the second elongate member being attached to the protruding member," as recited in claim 66.

Therefore, it is respectfully submitted that neither Brennan nor Maloney, either alone or in combination, discloses or suggests the "proximal end [of the at least one elongate member] being attached to the ring member," as recited in claim 1 or the "the proximal end of the second elongate member being attached to the protruding member," as recited in claim 66. Because claim 7 depends from claim 1 and claim 72 depends from claim 66, it is respectfully submitted that these claims are also allowable.

RECEIVED
CENTRAL FAX CENTER

CONCLUSION

OCT 10 2006

In light of the foregoing, Applicant respectfully submits that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: October 10, 2006

By: 
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, New York 10038
212-619-6000 - phone
212-619-0276 - facsimile